

## Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01  
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02  
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INFO AMEMBASSY ANKARA  
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AMEMBASSY LONDON  
AMEMBASSY BRUSSELS  
USMISSION USNATO  
USMISSION USUN NEW YORK

C O N F I D E N T I A L NICOSIA 2897

BRUSSELS FOR USEEC

E.O. 11652: GDS  
TAGS: PGOV, CY  
SUBJECT: TURKISH CYPRIOT CONSTITUTIONAL PROPOSALS  
AT CYPRUS SEMINAR

REF: NICOSIA 2221

1. "TFSC" OFFICIAL NEW BULLETIN PUBLISHED NOVEMBER 4-5 TEXT OF  
PAPER ON CONSTITUTIONAL SETTLEMENT OF CYPRUS PROBLEM DELIVERED  
BY ALPER ORHON AT AN OCTOBER 30-NOVEMBER 4 CENTER FOR MEDIT-  
ERRANEAN STUDIES SEMINAR IN ROME ON THE CYPRUS PROBLEM (REFTEL).  
ALTHOUGH "TFSC PUBLIC INFORMATION OFFICE" EARLIER WENT ON RECORD  
THAT VIEWPOINTS EXPRESSED IN ROME WERE NOT BINDING ON TURKISH  
CYPRIOT COMMUNITY OR "TFSC", PUBLICATION OF ORHON ADDRESS IN  
OFFICIAL "TFSC" JOURNAL SIGNALS THAT PROPOSALS HAVE AT LEAST A  
DEGREE OF OFFICIAL BLESSING. ORHON TOLD US BEFORE DEPARTURE FOR  
SEMINAR THAT HE WAS GOING TO DISCUSS PROPOSALS WITH DENKTASH  
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AND REVIEW WHETHER INITIAL PRESENTATION AT ROME SHOULD GO BEYOND  
FEBRUARY DENKTASH-MAKARIOS AGREEMENT ON FRAMEWORK OF A SOLUTION.  
DENKTASH EVIDENTLY AGREED TO LET ORHON EXPAND ON A FEW CONSTITU-  
TIONAL PROPOSALS, BUT IN A MANNER WHICH IS EASILY DISAVOWABLE.  
EMBASSY NOTES THAT US HAS IN PAST (AT VIENNA AND ELSEWHERE)  
URGED TURK CYPRIOTS TO COME UP WITH A FEW "FLESHED OUT"  
CONSTITUTIONAL PROPOSALS AND ORHON'S PAPER MAY WELL REPRESENT

TURK CYPRIOTS BEST THOUGHTS ON THE SUBJECT.

2. FOLLOWING IS PORTION OF THE ORHON PAPER DEALING WITH CONSTITUTIONAL ISSUES (ENTIRE PAPER WAS QUITE LONG BUT ONLY FOLLOWING PORTIONS DEALT WITH CONSTITUTIONAL POINTS).  
BEGIN TEXT.

IT IS SUBMITTED THAT THE CONSTITUTION OF THE FEDERAL REPUBLIC TO BE ESTABLISHED IN CYPRUS SHOULD PROVIDE FOR CYPRUS TO BE AN INDEPENDENT, NON-ALIGNED, SOVERIGN, SECULAR BI-ZONAL GRECO-TURKISH (CYPRIOT) FEDERAL REPUBLIC COMPOSED OF TWO FEDERATED STATES, ONE IN THE NORTH FOR THE TURKISH NATIONAL COMMUNITY AND ONE IN THE SOUTH FOR THE GREEK NATIONAL COMMUNITY. UNION OF CYPRUS, IN WHOLE OR IN PART, WITH ANY OTHER STATE, AND UNILATERAL DECLARATION OF INDEPENDENCE BY ANY OF THE FEDERATED STATES SHOULD BE PROHIBITED.

WITHOUT PREJUDICE TO THE INTERCOMMUNAL TALKS ON THESE TOPICS, IT IS SUBMITTED THAT THE FOLLOWING MAY BE THE MAIN HEADS OF POWERS AND FUNCTIONS WHICH COULD BE CONSIDERED TO BE GIVEN TO THE FEDERAL GOVERNMENT WHEREAS THE RESIDUE OF POWER SHOULD VENT IN THE FEDERATED STATES. IT SHOULD ALSO BE STRESSED THAT THE VIEWS EXPRESSED HERE ARE THOSE OF THE TURKISH CYPRIOT PARTICIPANTS AND THEY DO NOT IN ANY WAY BIND THE TURKISH CYPRIOT COMMUNITY.

1. FOREIGN AFFAIRS
  2. EXTERNAL DEFENCE
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3. BANKING, FOREIGN EXCHANGE AND MONETARY AFFAIRS
4. FEDERAL BUDGET
5. CUSTOMS
6. FEDERAL COMMUNICATIONS
7. PASSPORTS AND CITIZENSHIP
8. FEDERAL MEDICAL SERVICES
9. STANDARDS OF WEIGHTS AND MEASURES, PATENTS, TRADE MARKS AND COPYRIGHTS AND METEOROLOGICAL SERVICES. CO-ORDINATION OF SERVICES AND MEASURES FALLING UNDER THE ABOVE HEADINGS BETWEEN FEDERATED STATES AND BETWEEN FEDERAL AND STATE LEVELS MAY BE FULFILLED BY APPROPRIATE COMMITTEES AND INSTITUTIONS. MOREOVER, FEDERAL ADVISORY ORGANISATIONS MAY BE ESTABLISHED IN VARIOUS FIELDS IN WHICH THE CO-OPERATION OF THE TWO COMMUNITIES MAY BE USEFUL, VIZ. STOCK EXCHANGE, WATER, ENERGY AND ROAD PLANNING, NATURAL RESOURCES, TOURISM AND INFORMATION AND MARKETING.

STRUCTURE OF THE FEDERAL REPUBLIC.

DIFFUSION OF EXECUTIVE, LEGISLATIVE AND JUDICIAL POWER THROUGH THE APPROPRIATE ORGANS AT THE FEDERAL LEVEL MAY BE RELIED AS FOLLOWS:

- 1) FEDERAL PRESIDENCY

THE FEDERAL PRESIDENT SHALL HAVE SOLELY REPRESENTATIONAL POWERS  
AND THE PRESIDENCY SHALL ROTATE BETWEEN THE TWO COMMUNITIES.

2) EXECUTIVE POWERS

THE EXECUTIVE POWERS OF THE FEDERAL REPUBLIC SHALL VEST  
JOINTLY IN THE TWO PRESIDENTS OF THE FEDERATED STATES. IN CARRY-  
ING OUT THESE FUNCTIONS EXECUTIVE SECRETARIES SHALL ASSIST THE  
TWO PRESIDENTS.

3) LEGISLATIVE POWERS

THE FEDERAL LEGISLATURE SHALL CONSIST OF MEMBERS ELECTED  
SEPARATELY BY THE TWO COMMUNITIES. THE FEDERAL LEGISLATURE SHALL  
ONLY LEGISLATE ON MATTERS SPECIFICALLY ENUMERATED IN THE  
CONSTITUTION.

4) JUDICIAL POWER

AT THE APEX OF THE JUDICIAL ORGANISATION THERE SHALL BE A  
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FEDERAL COURT TO DEAL WITH MATTERS ARISING UNDER THE FEDERAL  
CONSTITUTION AND VIOLATIONS OF, OR MATTERS FALLING UNDER,  
FEDERAL LAWS.  
END TEXT.  
CRAWFORD

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NNN

## Message Attributes

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